

Article - Public Utilities

[\[Previous\]](#)[\[Next\]](#)

§12–126.

(a) An owner–member shall mark its underground facility if the owner–member has determined that a proposed excavation or demolition:

(1) is within 5 feet of the horizontal plane of the underground facility;
or

(2) because of planned blasting, is so near to the underground facility that the underground facility may be damaged or disturbed.

(b) (1) An owner–member shall mark the location of its underground facility by marking on the ground within 18 inches on a horizontal plane on either side of the underground facility.

(2) (i) When marking the location of an underground facility, an owner–member shall use the current color codes established by the American Public Works Association for marking underground facilities.

(ii) If two or more owner–members share the same color code, each owner–member shall include information with the marking that indicates the owner–member of the marked underground facility.

(c) Except as provided in subsection (d) of this section, within 2 business days after the day on which a ticket is transferred to an owner–member, the owner–member shall:

(1) mark the location of the owner–member’s underground facility and report to the underground facilities information exchange system that the underground facility has been marked; or

(2) report to the underground facilities information exchange system that the owner–member has no underground facilities in the vicinity of the planned excavation or demolition.

(d) (1) If an owner–member is unable to mark the location of the owner–member’s underground facility within the time period prescribed in subsection (c) of this section because of the scope of the proposed excavation or demolition, the owner–member shall:

(i) promptly notify the underground facilities information exchange system and the person that intends to perform the excavation or demolition; and

(ii) work with the person that intends to perform the excavation or demolition to develop a mutually agreeable schedule for marking the underground facility.

(2) If the owner–member and person that intends to perform the excavation or demolition cannot reach a mutually agreeable schedule for marking under paragraph (1) of this subsection, the owner–member shall mark that portion of the site where excavation or demolition will first occur, and the owner–member shall mark the remainder of the site within a reasonable time.

(3) If, due to circumstances beyond an owner–member’s control and for reasons other than those specified in paragraph (1) of this subsection, an owner–member is unable to mark the location of the owner–member’s underground facility within the time period prescribed in subsection (c) of this section, the owner–member shall report to the underground facilities information exchange system that an extension is required.

(4) In connection with extensive or contiguous excavation or demolition projects, the person performing the excavation or demolition and the owner–member may establish a working agreement regarding the time periods for marking the underground facility.

[\[Previous\]](#)[\[Next\]](#)